

PUBLIC UTILITIES
BOARD OF PUBLIC UTILITIES

Natural Gas Pipelines

Proposed Readoption with Amendments: N.J.A.C. 14:7

Authorized By: New Jersey Board of Public Utilities, Jeanne M. Fox, President, Frederick F. Butler, Carol J. Murphy, Connie O. Hughes, and Jack Alter, Commissioners

Authority: N.J.S.A. 48:2-13, 48:2-73 et seq., 48:9-33, and 48:10-2 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

BPU Docket Number: GX03010029

Proposal Number: PRN 2003-

Submit comments by May 16, 2003 to:

New Jersey Board of Public Utilities
Kristi Izzo, Secretary
ATTN: BPU Docket Number: GX03010029
Two Gateway Center
Newark, New Jersey 07102

The agency proposal follows:

Summary

The New Jersey Board of Public Utilities ('Board') is proposing to readopt with amendments its rules regarding various aspects of natural gas pipelines, including but not limited to the construction, operation, and maintenance of transmission and distribution pipelines for the transportation of natural gas by intrastate natural gas pipeline facilities within the State of New Jersey. Provisions under this rule explain where pipelines may be constructed and set requirements for ensuring that the pipelines remain safe both during and after installation. The rules also set the exact specifications that pipeline operators must follow when installing, inspecting, and generally maintaining natural gas pipelines. The primary goal of the proposed changes is to enhance the safety standards associated with both pipeline installation and maintenance.

Although the Federal government has prescribed safety standards for pipeline

transportation and for pipeline facilities pursuant to 49 U.S.C. §. 60101 et seq., enforcement authority over intrastate lines may be assumed by the various states. Thus, pursuant to a certification submitted annually to the Federal Department of Transportation, New Jersey must enforce the Federal standards in Title 49 of the Code of Federal Regulations and may adopt more stringent standards where warranted. The Board is the State agency with statutory and delegated jurisdiction over all intrastate gas pipelines. The Board is readopting these rules because they are necessary in that they relate directly to the safe, adequate and proper installation, operation and maintenance of pipelines by New Jersey gas pipeline operators.

As the Board has provided a 60-day comment period on this proposed readoption, the proposed readoption notice is exempted from the rulemaking calendar requirements set forth at N.J.A.C. 1:30-3.1 and 3.2, pursuant to N.J.A.C. 1:30-3.3(a)5.

The substantive provisions of the rules proposed to be readopted by the Board are summarized as follows:

N.J.A.C. 14:7-1.1 provides that the rules in subchapter 1 govern the construction, operation and maintenance of transmission and distribution pipelines for the transportation of natural gas by intrastate pipelines in New Jersey.

N.J.A.C. 14:7-1.1A provides the definitions of certain words and terms used in the rules.

N.J.A.C. 14:7-1.2 requires compliance with Federal Code natural gas pipeline requirements.

N.J.A.C. 14:7-1.3 incorporates, with modifications, the Federal formula for classifying natural gas pipelines by location.

N.J.A.C. 14:7-1.4 prohibits the installation of certain gas pipelines near buildings intended for human occupation without prior Board approval.

N.J.A.C. 14:7-1.5 requires compliance with the Welding Standards of the American Petroleum Institute Standard 1104 and the Federal Code for certain welds on pipelines governed by these rules.

N.J.A.C. 14:7-1.6 requires that welders be qualified under Welding Standards established by the American Petroleum Institute and requires testing of welds under these welding standards or under alternative testing requirements set forth in the Federal Code.

N.J.A.C. 14:7-1.7 provides requirements, which are supplemental to the Federal Code standards, for the construction of gas pipelines.

N.J.A.C. 14:7-1.8 requires compliance with State transportation agency standards for pipelines that cross railroads or highways.

N.J.A.C. 14:7-1.9 sets forth requirements for gas pipelines located under or adjacent to railroads or highways.

N.J.A.C. 14:7-1.10 sets forth the basic requirements for locating sectionalizing valves for distribution and transmission pipelines. A sectionalizing valve allows a pipeline operator to turn the gas in any section of pipe off in an emergency. The section also requires pipeline operators to provide emergency contact information to the Board and municipal clerks.

N.J.A.C. 14:7-1.11 requires that each transmission pipeline operator submit a plan for each of the operator's pipelines, which will provide for rapid closure of valves in the event of an emergency. The section sets forth the requirements of the plan.

N.J.A.C. 14:7-1.12 requires that automatic and manually operated blow-off valves be installed and operated in a manner to avoid hazard to nearby persons or property.

N.J.A.C. 14:7-1.13 requires that adequate inspections be performed of the storage and handling of pipe to ensure that the installed pipe will be free of damage and will meet safety standards in the Federal Code.

N.J.A.C. 14:7-1.14 sets standards for the depths at which pipelines must be installed, and the distance from other subsurface structures.

N.J.A.C. 14:7-1.15 requires that any portion of a pipeline that protrudes above ground be conspicuously marked or protected against damage.

N.J.A.C. 14:7-1.16 requires that pipelines meet various requirements for corrosion control, depending on the age of the pipeline. Operators are required to perform flame ionization surveys on all unprotected steel service lines, and replace lines that have exhibited leaks.

N.J.A.C. 14:7-1.17 requires that the testing of natural gas transmission and distribution pipelines comply with the Federal Code, that the Board receives prior notice of testing, that water used for testing is suitably disposed of and that test pressure be maintained for at least 12 hours.

N.J.A.C. 14:7-1.18 requires compliance with Federal requirements for purging air from pipelines in Class 2, 3 or 4 locations.

N.J.A.C. 14:7-1.19 requires that piping in gas compressor stations be installed in accordance with Federal standards.

N.J.A.C. 14:7-1.20 sets forth requirements that apply to the installation, operating pressure, and testing of pressure relief devices located in compressor stations, and disposal of gas released from these devices.

N.J.A.C. 14:7-1.21 requires that each compressor station with installed horsepower in excess of 1,000 and operating at pressures of more than 250 psig shall be provided with emergency remote shut-down devices.

N.J.A.C. 14:7-1.22 sets forth the clearance required between compressor stations and buildings not under the control of the utility that are intended for human occupancy.

N.J.A.C. 14:7-1.23 requires measures designed to prevent fires at compressor buildings.

N.J.A.C. 14:7-1.24 incorporates certain national standards for all electric wiring, fixtures and devices within compressor station buildings.

N.J.A.C. 14:7-1.25 requires that all compressor stations be provided with adequate natural draft ventilating devices.

N.J.A.C. 14:7-1.26 requires that gas piping in meter and regulator stations complies with Federal standards.

N.J.A.C. 14:7-1.27 requires compliance with National Electrical Code requirements for all electric wiring, fixtures and devices in meter and regulator station buildings.

N.J.A.C. 14:7-1.28 requires that meter and regulator stations located on gas pipelines be designed, constructed, operated and maintained in accordance with the Federal Code.

N.J.A.C. 14:7-1.29 requires the addition of odorant chemicals to natural gas in pipelines, in order to serve as a warning that gas is present.

N.J.A.C. 14:7-1.30 establishes requirements for the recording and reporting of accidents at a pipeline operator's facilities.

N.J.A.C. 14:7-1.31 requires the reporting of service interruptions that affect customers.

N.J.A.C. 14:7-1.32 requires the filing of notice with the Board, prior to construction or reconstruction of a gas pipeline which will be subjected to pressure in excess of 125 psig.

N.J.A.C. 14:7-1.33 requires a certification to the Board that testing has been done on a transmission pipeline before it is placed in operation, and requires reporting of certain details of the testing. Further, the section prohibits operation of the pipeline at a pressure higher than that for which the pipeline was tested.

N.J.A.C. 14:7-1.34 requires that each transmission pipeline operator must provide for monthly patrols for pipelines in Class 3 and 4 locations.

N.J.A.C. 14:7-1.35 requires that each transmission pipeline operator establish and maintain liaison, including annual meetings, with fire and police officials and other appropriate emergency services personnel. The section also requires annual notice to nearby residents of how to contact the pipeline operator for complaints or information.

N.J.A.C. 14:7-1.36 requires that a transmission pipeline operator make reasonable efforts to provide on-site inspection oversight during any excavation that may expose the pipeline, and requires the placement of subsurface marking tape in the backfill above certain pipelines when they are installed, repaired or replaced.

N.J.A.C. 14:7-2.1 sets forth the scope of subchapter 2, which is to establish a procedure for the assessment of civil administrative penalties for violations of pipeline safety standards.

N.J.A.C. 14:7-2.2 is reserved.

N.J.A.C. 14:7-2.3 establishes the procedure by which the Board will issue a notice of probable violation. If a person does not respond to a notice of probable violation within 14 days, the Board may issue an administrative order and/or assess a penalty.

N.J.A.C. 14:7-2.4 establishes detailed procedures for the assessment and payment of civil administrative penalties.

N.J.A.C. 14:7-2.5 establishes procedures for requesting an adjudicatory hearing to contest an administrative order and notice of assessment of a civil administrative penalty, and provides that an adjudicatory hearing will be held in accordance with the Administrative Procedure Act and implementing rules.

N.J.A.C. 14:7-2.6 establishes standards for the Board's assessment of civil administrative penalties within statutory ranges, and provides that neither assessment nor payment of such penalties will affect the availability of other enforcement remedies for the same violation.

The Board is proposing the following substantive amendments to N.J.A.C. 14:7-1:

Proposed amendments to the definitions of "bureau" and "division" contained in N.J.A.C. 14:7-1.1A reflect the re-designation of the Board's Division of Service Evaluation as the Division of Reliability and Security.

Proposed amendments to N.J.A.C. 14:7-1.4 govern gas pipelines that are to be operated at a maximum pressure in excess of 250 psig. Such a pipeline shall not be installed or operated within 100 feet of a building intended for human occupation without prior approval by the Board. This proposed amendment clarifies that the Board's prior approval must also be obtained when a pipeline initially approved for operation at a

pressure less than 250 psig is subsequently operated at a pressure in excess of 250 psig.

Clarifying amendments are proposed to N.J.A.C. 14:7-1.11. In addition, changes are proposed to N.J.A.C. 14:29-1.11(e), which addresses confidentiality of valve assessment and emergency closure plans submitted to the Board. The existing rules specify that such plans will be considered confidential, unless specifically provided otherwise by Federal or State law. However, the proposed new language reflects recent changes in the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. (OPRA). The Board proposed rules implementing these statutory changes on July 31, 2002 at 34 N.J.R. 227, and expects to adopt final OPRA rules by July 31, 2003. The proposed amendment to N.J.A.C. 14:29-1.11 provides that the Board will apply the OPRA rules in determining the confidentiality of a submitted valve assessment and emergency closure plan.

Two new subsections are proposed to be added to N.J.A.C. 14:7-1.13, which governs inspections required during installation of pipelines. Proposed new N.J.A.C. 14:7-1.13(b) would require submittal of an installation procedure for a specialized type of construction known as “joint-trench” pipe installation, in which a gas pipeline is placed in the same trench as another utility line. Proposed new N.J.A.C. 14:7-1.13(c) would require inspection of joint-trench installations to ensure compliance with joint-trench procedures. Joint-trench installations present unique safety concerns. While the operator would typically have in place its own standards for joint-trench installations, these new subsections will enhance job oversight while improving the safety and quality of the installation.

In N.J.A.C. 14:7-1.30, which sets forth provisions regarding the reporting of accidents, is repealed and replaced with a cross reference to essentially identical provisions that apply to all underground utilities, found at N.J.A.C. 14:2-4 and 14:2-6. This will ensure consistency throughout the chapter regarding accident reporting for underground facilities.

Proposed new section N.J.A.C. 14:7-1.37 requires a pipeline operator to notify the Board at least 30 days prior to changing its operating and maintenance standards in a way that would affect inspections, investigations, surveys, testing, or the frequency of these activities. Due to the recent economic downturn, many natural gas pipeline operators are reviewing operating and maintenance standards, including those relating to inspections and testing, to minimize waste. This new section will enable the Board to review such proposed changes before they become operator policy, and to prevent any reduction in the safety of a natural gas pipeline.

Social Impact

The rules proposed for readoption herein have a significant positive social impact on the residents of New Jersey. The rules govern all aspects of the siting, construction,

installation, and operation of natural gas pipelines. Natural gas is of great value as a relatively clean energy source, but is extremely dangerous if handled improperly. Therefore, these rules provide a social benefit in that residents are afforded safe, adequate and proper natural gas service. The safety of New Jersey's pipelines is an ongoing process that demands the highest level of attention from both the Board as well as the pipeline operators that control the pipelines. The Board constantly looks for ways to improve both the reliability and safety of natural gas pipelines and the Board will, after notice and an opportunity for comment, amend the rules when necessary to effectuate positive benefits to the residents of New Jersey, as is being done with these rule amendments.

Economic Impact

The rules proposed for readoption will require gas pipeline operators, as they have in the past, to incur incremental safety-related expenses in the installation, operation and maintenance of gas pipelines. In addition the benefits generated by increased safety to the public and their property justify these costs. Finally, pipeline operators subject to the jurisdiction of the Board will be allowed to recover all reasonable, prudent and supportable levels of costs through rates to customers.

Federal Standards Statement

Executive Order No. 27 (1994), and P.L. 1995, c.65 (N.J.S.A. 52:14B-22 through 24), require State agencies that adopt State rules which exceed any Federal requirements to include in the rulemaking document a comparison with Federal law. The corresponding Federal law is found in the rules of the United States Department of Transportation at 49 C.F.R. §§191 and 192. This proposed readoption of N.J.A.C. 14:7 with amendments is comparable with the corresponding Federal law in all but a few areas, which are discussed below.

The State system for classifying pipelines based on their location in relation to population density, found at N.J.A.C. 14:7-1.3, puts some pipelines into a more heavily regulated class than the same pipeline would be in under the Federal classification system at 49 C.F.R. §192.5. This may result in some costs for pipeline operators, although most have voluntarily chosen to meet higher standards than Federally required. To the extent that costs are incurred, the Board has determined that these costs are justified in order to ensure safety.

The Board's rules governing the spacing of sectionalizing shutoff valves, found at N.J.A.C. 14:7-1.10(a) and (b), are somewhat more stringent than corresponding Federal rules at 49 C.F.R. §192.181(a). Sectionalizing valves allow a pipeline operator to stop the flow of gas through a section of pipeline in cases of pipeline failure or emergency. The Federal rule requires valves to be spaced "so as to reduce the time to shut down a section of main in an emergency", and states that the exact spacing shall be determined by pressure, pipe size, and local conditions. N.J.A.C. 14:7-1.10(a) requires that, at a

minimum, a pipeline meet the Federal standard, but also adds more stringent requirements. Specifically, if a pipeline is classified as Class 1 or 2 under the Federal rules, the State rules require that the pipeline comply with the more stringent Federal standards that would apply to Class 3 pipelines. In addition, N.J.A.C. 14:7-1.10(b) requires extra valves within city boundaries as needed for prompt gas shutoffs in an emergency. To the extent that this rule requires an operator to install and maintain more valves, there will be some minimal cost incurred. However, the Board has determined that the amendment is necessary to ensure the protection of people, property and the environment in the event of pipeline failure or emergency, especially in densely populated areas.

The State rule provisions governing reporting of accidents are slightly more stringent than the corresponding Federal requirements. N.J.A.C. 14:7-1.30(b)5 is proposed to be amended to delete redundant provisions and instead to refer to standard State accident reporting requirements found in N.J.A.C. 14:2 and 3. These reporting requirements list the types of incidents that must be reported. While the Federal requirements for reporting accidents at 49 C.F.R. §§191.9 and 191.15, require the reporting of certain events that involve the release of gas, they do not contain the State requirement that any accidental ignition of gas be reported. In addition, the State reporting requirements also set a lower threshold dollar amount for reporting incidents. This enables the Board to exercise better oversight of pipeline operator compliance with emergency response rules and company emergency response procedures. This additional reporting greatly assists the Board in investigating gas pipeline incidents, by capturing a greater amount of incident data than could be obtained under the Federal requirements.

The Board believes that these more stringent reporting requirements are necessary and justified. Accidental ignition of gas by a gas pipeline operator is an inherently dangerous situation that may merit Board investigation, and therefore the reporting of these incidents should be specifically required. Further, because New Jersey is more densely populated and more industrialized than most of the nation, the State is more likely to experience pipeline accidents and to suffer greater injury and damage in the event of an accident. Thus, a slightly more stringent reporting requirement is justified for safety reasons. Finally, there is little or no cost to the regulated community in complying with the more stringent requirements, since the required reporting is easily performed using current technology.

Proposed new N.J.A.C. 14:7-1.37 provides an administrative procedure for pipeline operators to obtain approval from the Board of revisions to their operation and maintenance procedures. The Federal standards do not require this. However, due to the recent economic downturn, many natural gas pipeline operators in New Jersey are reviewing operating and maintenance standards, including those relating to inspections and testing, to minimize costs. This new section will enable the Board to review such proposed changes before they become operator policy, and to ensure that any cost cutting measures do not compromise the safety of a natural gas pipeline.

Jobs Impact

The rules proposed for readoption with amendments are likely to have a negligible impact on jobs in New Jersey. The rules set forth safety practices that must be followed in the siting, construction, installation, and maintenance of natural gas pipelines. Most of these practices are required under existing Federal law, and these rules primarily implement these Federal requirements. Therefore, any impact on jobs caused by these safety requirements will already have been felt as natural gas pipeline companies moved into compliance with the underlying Federal requirements. While there are some areas in which these rules are more stringent than Federal requirements (see Federal Standards Statement above), the Board expects that this will have only an incremental impact on jobs. To the extent that jobs are affected, the rules are likely to increase employment of inspectors and other natural gas company employees and/or consultants.

Agriculture Industry Impact

The rules proposed for readoption with amendments will have no impact on the agriculture industry in New Jersey. While many natural gas pipelines cross agricultural areas, these rules apply to construction practices, installation, inspection and similar safety related activities, and do not affect the location of the pipelines within New Jersey.

Regulatory Flexibility Analysis

In accordance with the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16, et seq. (the Act), the Board has determined that the rules proposed for readoption with amendments will not impose reporting, record keeping or other compliance requirements on any small businesses as that term is defined in the Act. Most intrastate pipelines located in New Jersey are operated by the four local distribution companies (LDCs) currently subject to the jurisdiction of the Board. None of the LDCs are small businesses. Other pipelines may be operated by large industrial businesses such as power plants, which are also not small businesses under the Act.

Smart Growth Impact

The Board anticipates that the proposed readoption with amendments will have no impact on either the achievement of smart growth or the implementation of the State Development and Redevelopment Plan. The State Plan is intended to "provide a coordinated, integrated and comprehensive plan for the growth, development, renewal and conservation of the State and its regions" and to "identify areas for growth, agriculture, open space conservation and other appropriate designations." N.J.S.A. 52:18A-199a. "Smart growth is based on the concepts of focusing new growth into redevelopment of older urban and suburban areas, protecting existing open space,

conserving natural resources, increasing transportation options and transit availability, reducing automobile traffic and dependency, stabilizing property taxes, and providing affordable housing." While the location of infrastructure such as natural gas pipelines can significantly affect the location of new development, these rules apply to construction practices, installation, inspection and similar safety related activities, and do not affect the location of the pipelines within New Jersey. Thus, the rules do not affect the location of future development, and the proposed readoption with amendments will not impact smart growth or the State Plan.

Full text of the proposed readoption may be found in the New Jersey Administrative Code at N.J.A.C. 14:7.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated with brackets [thus]):

SUBCHAPTER 1. CONSTRUCTION, OPERATION AND MAINTENANCE OF TRANSMISSION AND DISTRIBUTION NATURAL GAS PIPELINES

14:7-1.1A Definitions

For the purposes of this chapter, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

...

"Bureau" means the Bureau of Pipeline Safety in the Division of [Service Evaluation] Reliability and Security .

...

"Division" means the Division of [Service Evaluation] Reliability and Security in the Board of Public Utilities.

...

14:7-1.4 Proscribed areas

(a) Gas pipelines which are to be operated at a maximum pressure in excess of 250 psig shall not be operated or installed within 100 feet of any building intended for human occupancy which is in existence prior to or under construction at the date of execution of the right-of-way agreement or at the date of filing with the Clerk of the Superior Court of a complaint in a condemnation action, unless such operation or installation is authorized and approved by the Board. A petition pursuant to this section for operation or installation of a transmission pipeline that is subject to the design requirements of 49 C.F.R. 192.150 shall include an evaluation of the need for an in-line inspection (ILI) and a proposed inspection schedule. The evaluation shall consider population density,

length of the installation, operating pressure as a percentage of specified minimum yield strength, and other safety-related factors. In authorizing [an] the operation or installation of a transmission pipeline pursuant to this section, the Board may require that an in-line inspection be performed[.] , or a schedule of in-line inspection be submitted.

(b) Gas pipelines which are designed to be operated at a maximum pressure in excess of 250 psig and are designed to be installed within 100 feet of any building intended for human occupancy which is in existence prior to or under construction at the date of execution of the right-of-way agreement or at the date of filing with the Clerk of the Superior Court of a complaint in a condemnation action shall not be installed without the prior approval of the Board.

14:7-1.11 Valve assessment and emergency closure

(a) [By June 17, 1997, a transmission pipeline operator shall submit a] The sectionalizing valve assessment and emergency closure plan for each of the operator's transmission pipelines [that is] , which was originally submitted to the Board prior to June 18, 1997, shall be designed to achieve rapid closure of valves in the event of an emergency. Each plan shall include a map showing the spacing of valves in accordance with N.J.A.C. 14:7-1.10 and a detailed evaluation of each Class 3 or Class 4 valve location that does not have a remotely controlled or automatically controlled valve.

1. - 2. (No change.)

(b) Upon receipt of an operator's valve assessment and emergency closure plan, the [Board] Bureau of Pipeline Safety shall review and approve the plan, with such modifications as [the Board] Bureau staff deems necessary, including changes in the prioritization of the valve locations, to ensure the rapid closure in an emergency of any sectionalizing valve on the transmission pipeline.

(c) The valve assessment and emergency closure plan shall be updated annually to account for changes in population density, new transmission lines, new valve technology, and other material changes, and shall be submitted to the Board for review by the [Board staff] Bureau of Pipeline Safety at least once each calendar year, and within an interval not to exceed 15 months.

(d) (No change.)

(e) [A valve assessment and emergency closure plan that is submitted pursuant to this section shall be entitled to confidential treatment by the Board. Unless specifically provided for by Federal or State law, no person shall have access to a valve assessment and emergency closure plan other than the Board, the appropriate Board personnel, and any authorized agent of the Board if the Board determines that such disclosure is necessary in order for the authorized agent to perform the work in connection with the conduct of the Board's business.] If an operator believes that

information contained in the valve assessment and emergency closure plan merits confidential treatment pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1, et seq. (OPRA), any such purportedly confidential information submitted to the Board shall be specifically identified and marked by the operator and submitted to the Board in compliance with the Board's rules at N.J.A.C. 14:1-12 et seq.

14:7-1.13 Installation of pipe

(a) (No change.)

(b) If a pipeline operator wishes to install more than one utility line in a single trench, the operator shall first prepare and submit a joint-trench installation procedure to the Bureau of Pipeline Safety for approval. No pipeline operator shall perform a joint trench installation except in accordance with a joint-trench procedure previously approved by the Bureau.

(c) A pipeline operator shall provide for the inspection of all joint-trench pipe installations, and shall ensure that the installation complies with the joint-trench procedures previously approved by the Bureau of Pipeline Safety, as well as with the applicable provisions of the Federal Code.

14:7-1.30 Accidents

[(a) Each gas pipeline operator shall keep a record of and report to the Board all accidents which come within the meaning of reportable accidents as defined in this subsection, occurring in connection with the operation of the operator's plant, property or facilities with the State.

(b) For the guidance of gas pipeline operators, a reportable accident is defined as an accident other than a motor vehicle accident that results in one or more of the following circumstances:

1. Death of a person;
2. Serious disabling or incapacitating injuries to persons, including employees of the company;
3. Damage to the property of an operator that materially affects its service to the public;
4. Damage to the property of others amounting to more than \$1,000
5. The accidental ignition of gas; or
6. Any other significant incident, including, but not limited to, the closure of a major highway or the evacuation of a public building.

(c) The Board shall be notified promptly by the speediest means of communication available of all accidents which are clearly reportable and of those accidents which there

is good reason to believe may be "reportable accidents" as defined herein. If such notification is not given in any case for the reason that the accident is not considered reportable, and it subsequently develops that the accident is reportable, the gas pipeline operator involved shall notify the Board immediately after it has been ascertained that such accident is reportable.]

Each gas pipeline operator shall comply with the procedures for reporting accidents, set forth at N.J.A.C. 14:2-4.4, 14:2-6.5 and 14:3-6.4.

14:7-1.37 Revisions to operating and maintenance standards

(a) A pipeline operator shall not revise any operating and maintenance standard that affects the frequency or performance of inspections, investigations, surveys, or testing, without prior approval by the Bureau of Pipeline Safety.

(b) In order to obtain approval of such a revision, the pipeline operator shall submit the proposed revision to the Bureau of Pipeline Safety at least 30 business days prior to implementing the revised operating and maintenance standard. The submittal shall demonstrate that the revisions will not decrease the level of safety provided by the existing standard.

(c) If the Bureau of Pipeline Safety finds that the proposed revision may reduce safety from existing levels, the Bureau shall notify the operator within 30 business days after receiving the proposed revision to not institute the proposed revision, and shall provide the operator with one opportunity to resubmit an updated proposal. The Bureau will accept, modify, or deny the resubmitted proposal within 10 business days.